



DIVISION OF STATE COUNSEL LITIGATION BUREAU

December 21, 2018

The application is ☒ granted
☐ denied.

NSM
no further extensions
Nelson S. Román, U.S.D.J.
Dated: 12/21/19
Village of Plains, New York 10601

Dear Judge Roman:

This Office represents Patricia Bice and Qui Qui Balascio, and anticipates that it will represent remaining Defendant Jared Stammer (“Defendants”) in the above-captioned case.¹ The docket sheet reflects that, based on Plaintiff’s attempt at service on December 5, 2018, the current deadline for their answers or motions to dismiss is December 26, 2018. Defendants contest service here. Nevertheless, they are willing to waive objections to service in exchange for a sixty day extension of time—until February 25, 2019—to respond to the Complaint. On December 21, 2018, at 10:36 AM, Mr. E. Christopher Murray—Plaintiff’s counsel—consented to such an extension.

Defendants' counsel requires this extension in order to permit time to investigate the facts of this case, undertake an examination of representation pursuant to New York Public Officers Law § 17, and respond to the Complaint. It is additionally necessitated by other litigation obligations of the undersigned. This is Defendants' first request for an extension of this deadline. I therefore ask that Defendants' time to respond to the Complaint be extended until February 25, 2019.

¹ Upon information and belief, Defendant Stammer no longer works for the State University of New York. Pursuant to New York Public Officers Law § 17, this Office is empowered to obtain extensions and prevent defaults when state officers are sued, even prior to formally undertaking representation. We therefore make this request for an extension on behalf of all Defendants, based upon the assumption that Defendant Stammer will be served in the meantime and that the Attorney General will be formally representing all Defendants.

Honorable Judge Nelson S. Roman
December 21, 2018

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Respectfully submitted,



Jaclyn D. Saffir
Assistant Attorney General

cc:
Counsel by ECF